

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA, :  
 :  
 - against - :  
 :  
 IRVING SANTIAGO, :  
 :  
 Defendant. :  
-----X

07-CR-1039 (LAK)

**SENTENCING MEMORANDUM #2**



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June 24, 2008

**VIA HAND DELIVERY**

Honorable Lewis A. Kaplan  
United States District Judge  
Southern District of New York  
40 Centre Street  
New York, New York 10007

**Re: United States v. Irving Santiago, 07-CR-1039(LAK)**

Dear Judge Kaplan:

I am counsel for defendant Irving Santiago ("Santiago") and write to enclose letters for Your Honor's consideration in connection with Mr. Santiago's sentencing on July 2, 2008 at 10:15 a.m.

Please find letters from the following individuals:

- (1) Mr. Santiago; and
- (2) Fernando Santiago, Mr. Santiago's brother.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Harry H. Rimm".

Harry H. Rimm

Enclosures

cc: Carrie Cohen, Esq. (Via Hand Delivery) (w/Enclosures)

I would like to express my feelings and regrets of my actions. I've been through a lot of hard times in my life that seems to never end. I see a psychiatrist, which helps my thoughts become clearer about life. I've done things in my life that I am ashamed of and would do anything to turn back the hand of time, but I know I can't. I have a family that cares for me. I have come to realize that I have to change my life around. I am so sorry about the person I have been all these years. I am trying my best to change. Things have not went the way I would like them to go, but I have to take it one step at a time. I have turn my life to the lord. He has blessed me with my son and wife which keep me going with life. The lord has bless me and my wife with the return of our son from foster care. I also have my mother that has not been in the best of health. She has not come to visit me due to her heart condition. I am sorry for my actions in the past and I am trying to be better to change. Because now I realize that life is too beautiful to be behind bars. I'm not the only one that suffer, my family suffers too.

This is a saying of me, Irving S.

you can not do what you want until you drop who you used to be.


June 23, 2008

To The Honorable Lewis A. Kaplan:

I am writing to ask for compassion in the sentencing of my brother Irving Santiago. Although I recognize that the law must be served in this case and that my brother must face consequences for his actions, I also have another goal, to help my brother in reaching beyond the path he had previously chosen and show him that there is a better way to live. I hope to show him through example as well as through an active participation in his rehabilitation process. My service as a soldier in the United States Army Reserve for the last nine years has taught me a great deal about the value of living a good life and I hope to have the opportunity to teach my brother some of these lessons. To this end, I would hope that the sentence imposed will take into account his very real desire to end his addiction to drugs. Irving has often told me of his aspiration to become a better person and to be a positive part of his community rather than a detriment. I can foresee a true success if his sentencing were to base itself around the concept of helping him to achieve this goal. I know that Irving must be punished for his actions, but there is a way to intervene in a positive way that may be able to accomplish both the need to punish him as well as the opportunity to set him on a path that leads to his restoration.

Irving has suffered in many ways as a result of his poor choices, and I have seen him attempt to change his ways. In his attempt to rehabilitate, he has one of the most powerful motivators in the world. Irving truly wants to better himself so that someday he will be able to become a good father and provider for Irving Junior, his son. My brother has seen the harm that comes from the life he has been living and wants to teach his son and to help him mature. His fear is that someday his son might follow in the footsteps and the mistakes that my brother has made. I know that someday he will succeed, but right now, he needs your help. I hope that his sentence would be able to include mandatory enrollment into a program to help him overcome his drug addiction in perpetuity. Through this intervention, he will be able to overcome the hurdles that as yet have hindered his improvement. If he is able to make this progress, I can predict that he will never again appear before this or any other court under similar circumstances.

Respectfully yours,



Fernando L. Santiago